

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON APPROPRIATIONS**

**Call to Order:** By **CHAIRMAN STEVE VICK**, on February 16, 2001 at 3:15 P.M., in Room 102 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Steve Vick, Chairman (R)  
Rep. Dave Lewis, Vice Chairman (R)  
Rep. Matt McCann, Vice Chairman (D)  
Rep. John Brueggeman (R)  
Rep. Rosalie (Rosie) Buzzas (D)  
Rep. Tim Callahan (D)  
Rep. Edith Clark (R)  
Rep. Bob Davies (R)  
Rep. Stanley Fisher (R)  
Rep. Dick Haines (R)  
Rep. Joey Jayne (D)  
Rep. Dave Kasten (R)  
Rep. Christine Kaufmann (D)  
Rep. Monica Lindeen (D)  
Rep. Jeff Pattison (R)  
Rep. Art Peterson (R)  
Rep. Joe Tropila (D)  
Rep. John Witt (R)

**Members Excused:** Rep. Bob Davies (R)

**Members Absent:** None.

**Staff Present:** Paula Broadhurst, Committee Secretary  
Taryn Purdy, Legislative Branch

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 562, 2/16/01.  
Executive Action: HB 533.

**HEARING ON HB 562**

**Sponsor:** Rep. Gary L. Forrester, HD 16.

**Proponents:** Carl Peters, Lockwood Water and Sewer District; Rick Russell, Lockwood Water Users Association; Woody Woods, Lockwood Resident; Montana N. Watts, Lockwood Water and Sewer District; Nancy Belk, Lockwood Water and Sewer District; Charles Brooks, Billings Chamber of Commerce; Bill Enright, Engineer for the project employed by Morrison and Maverle, Inc., Billings.

**Opponents:** None.

**Informational Witnesses:** None.

**Opening Statement by Sponsor:**

*{Tape : 1; Side : A; Approx. Time Counter : 5.4}*

**Rep. Forrester** said he is from the community of Lockwood, and they are in a state of crisis with their sewer and water district. He said their sewer system has far exceeded the ability for his community to pay for it. This bill is an act transferring \$5 million from the State General Fund to the Treasure State Endowment State Special Revenue Account; Appropriation the transferred funds to the Department of Commerce for a grant to the Lockwood Water and Sewer District in Yellowstone County; and providing an effective date.

**Proponents' Testimony:**

**Carl Peters** said Lockwood is the largest unincorporated and unsewered community in Montana. Lockwood Water and Sewer District is an area over 5,000 acres, with a little over 5,000 people. He said their total sewer project to date is estimated at \$28.1 million, this is an increase of 4.9% since their preliminary engineering study in 1998. He supports HB 562.

**Rick Russell** said population growth in the area, in the time he has been there for 30 years, has grown about 2,000 people to around 5,000 people. He handed in a supporting letter from Jerry Burns, Department of Environmental Quality, **EXHIBIT(aph39a01)**. He supports HB 562.

**Woody Woods** explained the problems they are having in Lockwood. He supports HB 562.

A letter was handed in by **Ted Kylander, County of Yellowstone, EXHIBIT(aph39a02)**.

A handout of Lockwood Septic Tank Repairs by years was handed in, **EXHIBIT(aph39a03)**.

A letter was handed in by Bill Kennedy, Yellowstone County Commissioners supporting HB 562, **EXHIBIT(aph39a04)**.

A letter was handed in by Bill Kennedy, Yellowstone County Commissioners supporting HB 526, funding of the Summer Youth Program, **EXHIBIT(aph39a05)**.

*{Tape : 1; Side : A; Approx. Time Counter : 17.7}*

**Montana N. Watts** supports HB 562.

**Nancy Belk** said she is a resident and business owner in Lockwood since 1989. Her business has grown as other businesses have in Lockwood. She supports HB 562.

**Charles Brooks** represented the County of Yellowstone and Billings area Chamber of Commerce. They support HB 562.

**Bill Enright** said the Lockwood Water and Sewer District was formed by 71% majority of people in Lockwood to form this community. The Lockwood Water and Sewer District and the Lockwood Water Users Association merged. This is important as it reduces duplication of services for bookkeeping, accounting, maintenance, etc. He supports HB 562.

**Opponents' Testimony:** None.

**Questions from Committee Members and Responses:**

**Rep. Buzzas** asked **Mr. Peters** what the current charges are a month for the residents of the district. **Mr. Peters** explained the amounts if the system improved.

**Rep. Kasten** asked **Mr. Enright** about TCEF. **Mr. Enright** said the study was prepared in 1998 and the ability to pay was contingent on receipt of at least \$10 million dollars in grants.

*{Tape : 1; Side : B; Approx. Time Counter : 1.5}*

**Rep. Buzzas** asked **Mr. Russell** about nitrate levels being high and if that had any direct relationship to the system failing. **Mr.**

**Russell** explained nitrate levels and failure of the well system in 1980-1987.

**Rep. Vick** asked **Rep. Forrester** about the TCEF grant. **Rep. Forrester** explained the TCEF grant that was awarded in the Long-Range Planning Committee.

**Closing by Sponsor:**

***{Tape : 1; Side : B; Approx. Time Counter : 7.3}***

**Rep. Forrester** said communities across the state are faced with the same things the universities systems are and every other state agency. He said there is a large number of mobile courts there and every time they fail, the rates go up. Costs have far exceeded the ability of a modern society to pay for the improvements they need. He urged a Do Pass on HB 562.

**EXECUTIVE ACTION ON HB 533**

**Motion:** REP. PETERSON moved that HB 533 DO PASS.

**Taryn Purdy** explained the amendment requested by Rep. Vick.  
**EXHIBIT** (aph39a06) .

**Motion/Vote:** REP. TROPILA moved that AMENDMENT FOR HB 533 DO PASS. Motion carried 18-0.

**Motion/Vote:** REP. KASTEN moved that HB 533 DO PASS AS AMENDED. Motion carried 18-0.

**Rep. Vick** said it would be a good idea to have Pat Gervais, Legislative Fiscal Division, explain key elements of the regulations regarding federal TANF spendings and Federal TANF grant and maintenance of effort. **EXHIBIT** (aph39a07) ,  
**EXHIBIT** (aph39a08) .

**ADJOURNMENT**

Adjournment: 5:00 P.M.

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REP. STEVE VICK, Chairman

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PAULA BROADHURST, Secretary  
Transcribed by Donna Huffman

SV/PB/DH

**EXHIBIT (aph39aad)**